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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,902	07/31/2001	Daniel Baker	00EC055/79183	2341
24628	7590	10/05/2005	EXAMINER	
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			AL AUBAIDI, RASHA S	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,902

Applicant(s)

BAKER ET AL.

Examiner

Rasha S. AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-25 and 27-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-25, and 27-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed July 5th, 2005 has been entered. No claims have been amended. No claims have been canceled. No claims have been added. Claims 1-4, 6-25, and 27-33 are still pending in this application, with claims 1, 13, 21, and 22 being independent.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-4, 6-25, and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busey in view of Crowther et al.

Regarding claim 1, Busey teaches a method for distributing customer contacts to a transaction processing entity of a transaction processing system (this basically reads on distributing customers calls and questions to agents in system 10 of the call center 22, see summary of the invention, col. 4, lines 44-49, and col. 5, lines 15-25), such method comprising: determining a media type (chat, e-mail, voice, ...etc in Busey) for a customer contact in the transaction processing system; finding a transaction processing entity (agent in Busey) that is capable of handling the media type; and routing the customer contact (e.g., phone call) to a transaction processing entity (agent) that is capable of handling the media type (the claimed limitations of "determining a media type, finding a transaction processing entity that is capable of handling the media type, and routing the customer contact to a transaction processing entity that is capable of handling the media type" read all together on control 14, along with other processes and devices , which perform the function of these limitations in the call center, see col. 12, lines 26-30, col. 4, lines 65-67 and col. 8, lines 1-5. Also, for further explanations on these limitations see the summary of the invention in Busey.

Busey does not specifically teach identifying the media type as exclusive or nonexclusive, and permitting no further customer contacts for the duration of said

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current customer contact by said transaction processing entity if said media type is exclusive.

Crowther teaches in a contact call center agents are assigned priority level in each skillset so agents can be assigned to handle customers' requests/contacts in the most effective way based on their knowledge (see col. 2, lines 48-52). Each skillset is assigned an interruptibility level which defines the importance of a skillset and whether agents assigned to a skillset may be interrupted while busy answering other calls (see col. 5, lines 10-17). On one hand, the claimed "exclusive media type" reads on the highest interruptibility level (such as, voice or phone call), which cannot be interrupted (see col. 7, lines 38-46 and col. 8, lines 14-20). On the other hand, the claimed "non exclusive media type" reads on lower interruptibility level (such as email or fax), which can be interrupted by higher/highest interruptibility level requests such as voice call (see col. 8, lines 14-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of allowing no further customer contacts to be assigned to an agent when handling "an exclusive" customer contact (such as voice calls), as taught by Crowther, into the Busey system in order to provide better, faster and professional services to customers. Also, this will enhance the efficiency of the call center.

Claim 13, is rejected for the same reasons as discussed above with respect to claim 1. On one hand, Busey teaches determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (this basically reads on "endpoint" (see col. 11, lines 15-67); and comparing the metric to a threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col. 11, lines 53-67), and when the metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6). On the other hand, Busey does not specifically teach preparing a transaction routing table of transaction processing entities based on media types. However, having a routing table for each agent that contains information such as for example, the media type that he/she can best handle would have been obvious since this will be considered as an agent profile that can be viewed by management in skill performance and promotions scenarios.

Claims 21-22 are rejected for the same reasons as discussed above with respect to claim 1. Also, for claims 22-23 limitations, Busey teaches searching a transaction processing entity that is not handling an exclusive media type (this may read on availability of agent, see col. 8, lines 6-9 and/or the priority of task the agent is handling at the current time, see col. 3, lines 55-60); determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (basically reads on "endpoint", see col. 11, lines 15-67); and comparing the metric to a

threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col. 11, lines 53-67), and when the metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6).

For claims 2-4, 6-12, 14-20, 23-25, and 27-33 the limitations are taught by Busey. The rejection in the previous office action is hereby incorporated by reference.

Response to Arguments

4. Applicant's arguments filed 07/05/2005 have been fully considered but they are not persuasive.

Applicant argues on page 3 of the Remarks, that the "media type has nothing to do with the skills required by an agent in addressing customer questions or concerns". Examiner respectfully disagrees with applicant's argument. First of all, it would be clear to those skilled in the art to realize the relationship between "media type" and agent "skillset". For example, the media type determines the type of a request that needs to be handled by an agent with a particular skillset (i.e., routing phone calls to agent that handles voice/phone calls only and routing emails to agent that handles emails only). As a matter of fact, Crowther specifically teaches that once an agent logs into a telephone set only, then the agent can answer voice calls only (see col. 3, lines 60-67). Second, it is noted that applicant's argument regarding "media type has nothing to do with the

skills required by an agent” is irrelevant, since the term “skills” is not recited in the claim’s language.

Applicant argues “Crowther et al. fails to provide any teaching of how an interruptibility level of 1 is to be used”. Applicant also adds, “Nowhere within the Crowther et al. description is there any discussion of what an interruptibility level of 1 is, or how it is to be used”. Crowther teaches that an agent 330 in Fig. 3 logged into the sales voice and service voice skillset at a priority level P1 (see col. 6, lines 55-56). Thus, the interruptibility level of 1 is exactly voice calls based on Crowther teachings (col. 6, lines 55-56). As far as how the interruptibility level 1 is used, Crowther teaches if voice calls assigned a higher interruptibility level P1, then voice calls can interrupt a lower interruptibility level such as P2 and P3 (i.e., fax and emails). However, voice calls with high interruptibility level P1 cannot be interrupted (see col. see col. 5, lines 10-16, col. 7, lines 41-46 and col. 8, lines 14-20).

Stated differently, the claimed “exclusive” media type would read on a P1 level for agent 330 in Fig. 1 (media is voice) which will not be interrupted. In this rejection under 35 USC 103, Examiner’s position has been that voice calls should have the highest interruptibility level because a telephone conversation between an agent and a caller should not be interrupted for example by a fax call. Again, this is consistent with col. 3, line 60- col. 4, line 2 and col. 5, lines 9-16.

Examiner believes that all other applicant arguments are already addressed in the above rejection.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S. AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Rasha S. Al-Aubaidi
Art Unit 2642
09/29/2005


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